

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**JIMMY DAVIS**

**PLAINTIFF**

**v.**

**No. 4:06CV86-P-A**

**CAPTAIN AVON LATHAM, ET AL.**

**DEFENDANTS**

**ORDER OF DISMISSAL**

This matter comes before the court on the motion of *pro se* prisoner plaintiff Jimmy Davis (# 51030) to proceed *in forma pauperis* in this case filed under 42 U.S.C. § 1983. The signature on the inmate account certificate obviously was signed by someone other than the inmate accounts custodian. Indeed, the handwriting appeared to be that of the plaintiff. The court issued an order on July 13, 2006, for the plaintiff to show cause why this case should not be dismissed because of this act of subterfuge. The plaintiff responded, admitting that he had signed the form with the name of Mississippi Department of Corrections inmate accounts clerk Leesa Brown's name. The plaintiff alleges that he did so in error because he was in a hurry and was thus inattentive. The argument that the plaintiff somehow inadvertently *signed another's name* to an official document is absurd. The plaintiff has not come forward with evidence to show that the signature was genuine. As such, the instant case is hereby **DISMISSED** with prejudice. The court reminds the plaintiff that he signed the *in forma pauperis* documents under penalty of perjury. Any future falsified documents the plaintiff submits to this court will be met with a

sanction more severe than the mere dismissal of a case. In light of this order, any motions pending in this case are hereby **DISMISSED** as moot.

**SO ORDERED**, this the 31<sup>st</sup> day of July, 2006.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE